

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden
v. : Crim. No. 08-429
FARUK ONCEL : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Donna R. Newman, Esq. with the consent of Mark E. Coyne, Assistant U.S. Attorney, for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to 18 U.S.C. § 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. the Government is in the process of providing the defendant with discovery;
2. the Government and the defense are engaged in plea negotiations; and
3. pursuant to 18 U.S.C. § 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial because not granting such a continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into

account the exercise of due diligence, and because plea negotiations may result in an agreement that would obviate the need for a trial.

WHEREFORE, on this 8th day of June, 2009,

IT IS ORDERED that the period from June 1, 2009 through October 1, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to 18 U.S.C. § 3161(h)(8); and


IT IS FURTHER ORDERED that the scheduling order entered on May 13, 2009 ("Order") be modified as follows:

- All motions described in Order ¶ 10 shall be filed within forty-five (45) days from the date hereof unless good cause for delay is shown.
- All pretrial motions described in Order ¶ 12 will be deemed waived unless they are filed and served not later than August 31, 2009, with opposition due September 14, 2009, and the motions hearing date to be set by the court
- Trial is set for seven (7) days after hearing on motions.


HON. KATHARINE S. HAYDEN
United States District Judge

Consented to by:


Mark Coyne, AUSA


Donna R. Newman, Esq.
Attorney for Defendant Faruk Oncel